

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No. 10/576,496 (Q94468)

REMARKS

This Amendment, filed in reply to the Office Action dated March 17, 2010, is believed to be fully responsive to each point of objection and rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claim 7 is the claim pending in the application. Claims 5-6, 8, 10-14, 23-30 and 39-94 are canceled. Claims 1-4, 9, 15-22 and 31-38 are withdrawn from consideration. Claims 5-6 are rejected. Claim 7 is objected to as being dependent upon a rejected base claim, but indicated would be allowable if rewritten in independent form. Claim 7 is amended herewith as an independent claim. Exemplary support for the amendment to Claim 7 can be found throughout the specification and in the originally filed claims.

No new matter is added by way of this amendment. Entry and consideration of this amendment are respectfully requested.

Foreign Priority

Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority and indicating that all certified copies have been received.

Information Disclosure Statement

Applicants thank the Examiner for returning a signed and initialed copy of the PTO Form SB/08 that accompanied the Information Disclosure Statement filed March 19, 2009, and May 21, 2009, indicating consideration of the references therein.

Drawings

Applicants thank the Examiner for accepting the drawings filed on April 20, 2006.

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Abstract

On page 3 of the Office Action, the Examiner objects to the Abstract of the Disclosure because it is confusing. Solely to advance prosecution, the abstract has been amended herein to clarify the invention. In particular, the Abstract states that the “present invention concerns a method for obtaining a gene involved in regulation of cartilage differentiation and is directed to a chondrocyte cell line derived from a Runx2/Cbfa1- and p53-deficient mouse.” Additionally, as suggested by the Examiner, the Abstract has been amended to recite “Runx2/Cbfa1 is expressed in Runx2/Cbfa1-deficient chondrocyte cells to obtain an induced gene involved in the regulation of cartilage differentiation.”

No new matter is added.

Withdrawn Rejections

Applicants thank the Examiner for withdrawal of the rejection of Claim 7 under 35 U.S.C. § 112, first paragraph.

RESPONSES TO REJECTIONS

On page 3 of the Office Action, Claim 5 is rejected under 35 U.S.C. § 102(b) as being anticipated by Kobayashi *et al.* (Biochemical and Biophysical Research Communications, 273: 630-636 (2000) (“Kobayashi”). On page 9 of the Office Action, Claim 6 is rejected as being unpatentable over Kobayashi in view of Kamiya (Journal of Bone and Mineral Research, 17(10):1832-1842 (2002) (“Kamiya”). Claim 7 is objected to as being dependent on a rejected claim, but the Examiner indicated would be allowable if rewritten in independent form. Solely to advance prosecution, Applicants have incorporated the limitations of Claim 6 into independent Claim 7. Withdrawal of the rejection is respectfully requested.

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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The U.S. Patent and Trademark Office is hereby directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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